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PATENT  
Customer No. 22,852  
Attorney Docket No. 5552.1450-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carsten SCHELP et al.

Application No.: 10/024,258

Filed: December 21, 2001

For: DETECTION METHODS

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)  
) Group Art Unit: Unknown  
)  
) Examiner: Unknown  
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Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. Copies of the listed documents are attached.

Regarding the foreign language documents, Applicants note that the following documents are cited and discussed in the present application:

EP 0 787 986 is cited and discussed on page 2 of the present application;

EP 0 617 285 is cited and discussed on page 3 of the present application;

WO 95/25172, including an English language abstract, is cited and discussed on page 13 of the present application;

MESSERSCHMID, "Erzeugung von polyklonalen Antikörpern in Nicht-Säugern", BIOforum, pp. 500-502 (1996), is cited and discussed on page 13 of the present application;

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EP 0 080 614 is cited and discussed on page 18 of the present application;

EP 0 227 054, including English language claims, is cited and discussed on page 18 of the present application; and

EP 0 246 446, including English language claims, is cited and discussed on page 18 of the present application.

In addition, EP 0 781 998 is accompanied by English language family member CA 2,193,344; and EP 0 263 401 includes English language claims.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Applicants note that an Office Action on the Merits has not issued in the instant application. However, if an Office Action on the Merits has issued, and is crossing this statement in the mail, the undersigned hereby authorizes the Commissioner to charge

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any fee necessary for consideration of this statement, including any payment under 37 C.F.R. 1.17(p), to be charged to Applicants' Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: April 3, 2002

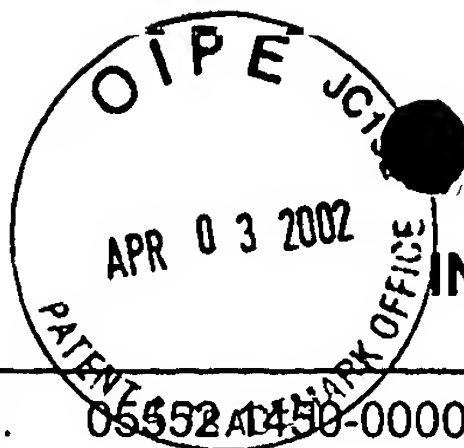
By: Steven J. Helmer  
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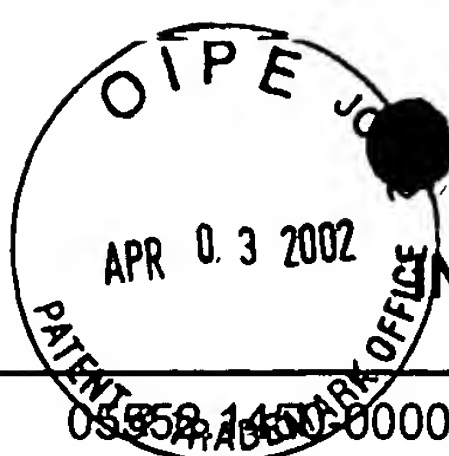
Atty. Docket No.	05521450-00000	Appln. No.	10/024,258
Applicant	Carsten SCHELP et al.		JUL 10 2002
Filing Date	December 21, 2001	Group:	Not Yet Assigned
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U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		4,590,169	05/20/1986	CRAGLE et al.	436	523	
		4,595,661	06/17/1986	CRAGLE et al.	436	534	
		5,340,716	08/23/1994	ULLMAN et al.	435	6	
		5,545,834	08/13/1996	SINGH et al.	544	6	
		3,996,345	12/07/1976	ULLMAN et al.	424	12	
		6,187,594	2/13/01	KRAUS et al.	436	69	

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		0 787 986 A1	8/6/1997	EPO			No
		0 617 285 A2	9/28/1994	EPO			No
		0 515 194 A2	11/25/1992	EPO			No
		WO 95/25172	09/21/1995	WIPO			Yes (Abstract)
		0 411 945 A2	2/6/1991	EPO			No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	PAPIK, K., et al; "Automated Prozone Effect Detection In Ferritin Homogeneous Immunoassays Using Neural Network Classifiers;" <i>Clin Chem Lab Med</i> , 37(4), pp. 471-476 (1999).
	LARRICK, J. W., et al.; "Recombinant Antibodies;" <i>Hum. Antibod. Hybridomas</i> , Vol. 2, pp. 172-189 (1991).
	MESSERSCHMID, S.; "Erzeugung Von Polyklonalen Antikörpern In Nicht-Säugetern;" <i>BIOforum</i> , pp. 500-502 (1996).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
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## INFORMATION DISCLOSURE CITATION

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Atty. Docket No.	05952-1450-00000	Appln. No.	10/024,258	JUL 10 2002
Applicant	Carsten SCHELP et al.			
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## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	WO 95/06877	03/09/1995	WIPO			No
	0 080 614 A2	6/8/1983	EPO			No
	0 227 054 B1	7/1/1987	EPO			Yes (Claims)
	0 246 446 B1	11/25/1987	EPO			Yes (Claims)
	0 781 998 A2	7/2/1997	EPO			Yes
	2,193,344	06/28/1997	CAN			No
	0 263 401 B1	4/13/1988	EPO			Yes (Claims)
	0 603 958 A1	6/29/1994	EPO			No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	FISCHER, R., et al.; "Molecular Farming Of Recombinant Antibodies In Plants;" Biol. Chem., Vol. 380, pp. 825-839 (1999).
	HIATT, A., et al.; "Assembly Of Antibodies And Mutagenized Variants In Transgenic Plants And Plant Cell Cultures;" Genetic Engineering, Vol. 14, pp. 49-64 (1992).
	BAILEY, M. P., et al.; "On The Use Of Fluorescent Labels In Immunoassay;" Journal of Pharmaceutical & Biomedical Analysis, Vol. 5, No. 7, pp. 649-658 (1987).
	UDENFRIEND, S., et al.; "Scintillation Proximity Radioimmunoassay Utilizing <sup>125</sup> I-labeled Ligands;" Proc. Natl. Acad. Sci, USA, Vol. 82, pp. 8672-8676 (1985).
	MATHIS, G.; "Rare Earth Cryptates And Homogeneous Fluoroimmunoassays With Human Sera;" Clin. Chem, Vol. 39, No. 9, pp. 1953-1959 (1993).
	BOGUSLASKI, R. C., et al.; "Homogeneous Immunoassays;" Applied Biochemistry And Biotechnology, Vol. 7, pp. 401-414 (1982).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
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Atty. Docket No.	05552-1481-00000	Appln. No.	10/024,258
Applicant	Carsten SCHELP et al.		
Filing Date	December 21, 2001	Group:	Not Yet Assigned

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	ULLMAN, E. F., et al.; "Luminescent Oxygen Channeling Immunoassay: Measurement Of Particle Binding Kinetics By Chemiluminescence;" Proc. Natl. Acad. Sci, USA, Vol. 91, pp. 5426-5430 (1994).
	ULLMAN, E. F., et al.; "Luminescent Oxygen Channeling Assay (LOCI™): Sensitive, Broadly Applicable Homogeneous Immunoassay Method;" Clinical Chemistry, Vol. 42, No. 9, pp. 1518-1526 (1996).
	ERIKSSON, S., et al.; "Dual-Label Time-Resolved Immunofluorometric Assay Of Free And Total Prostate-Specific Antigen Based On Recombinant Fab Fragments;" Clinical Chemistry, Vol. 46, No. 5, pp. 658-666 (2000).

Examiner	Date Considered
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